

EXHIBIT Y

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

HITUL GANDHI, Individually,)
and on behalf of a class)
of others similarly situated,)
)
)
Plaintiff,)
v.) Case No.
)
DELL INC.,)
and)
DELL MARKETING USA L.P.,)
)
)
Defendants.)
)

DEPOSITION OF
TRACIE WEBB
Taken on Behalf of the Defendants
November 3, 2008

VOWELL & JENNINGS, INC.
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	18		20
1 Q.	Now, you mentioned someone you'd had a	1 percent sure.	
2 -- a former manager that you'd had a run-in with		2 Q.	How were you compensated once you moved
3 was who?		3	to Dell?
4 A.	It was Wes.	4 A.	I don't know. I know that I made
5 Q.	Oh, Wes.	5	commission, stacks and SPIFs and then a salary.
6 A.	It was just a difference of	6	I'm not 100 percent how it was divided out. I
7 personalities.		7	couldn't tell you. They couldn't clearly explain
8 Q.	When you started at Spherion, was it	8	to us.
9 clear at that point it was transitional being at		9 Q.	So you had a piece that was tied to
10 Dell, or what was your understanding at the time?		10 commissions and part of commissions -- and	
11 A.	My understanding was that if I made	11 commissions and SPIFs. Are those different?	
12 it through training and had a satisfactory		12 A.	Well, it was like a compensation piece
13 performance on the new queue, which was, I guess,		13 and then our base piece. And the compensation	
14 where they put recent hires, that I would be		14 included your quota attainment, your stacks and	
15 permanently Dell badged.		15 then your SPIFs. And then the base pay, which I	
16 Q.	And then how did it happen -- I mean,	16	don't know what that is.
17 was it like a definitive time that was going to		17 Q.	And as I've heard it referred to,
18 happen or -- with you particularly, how did it		18	attainment has to do with quotas; is that right?
19 happen? Did somebody come and talk to you and say		19 A.	Right.
20 you've made it, we'll move you to Dell, or how did		20 Q.	And what was your understanding of how
21 that happen?		21	that worked?
22 A.	Michael Allison came to my desk and	22 A.	You had to hit at least 80 -- well, at
23 gave me a piece of paper and told me to go take a		23 one point, one of the rules was you had to hit at	
24 drug test and I was a Dell employee if it came		24 least 80 percent of your attainment to receive	
25 back that I wasn't a drug addict.		25 your stacks and SPIFs. They changed that quite	
	19		21
1 Q.	And about how long did you work for	1 frequently as well. If you did over 100 percent	
2 Spherion?		2 of your quota, then you were compensated extra,	
3 A.	I believe it was just two months. It	3 like they called it a kicker bonus, but I don't	
4 wasn't very long. Maybe a month and a half. I'm		4 know how they figured that. I just know I paid	
5 not exactly sure of the dates.		5 more taxes.	
6 Q.	How were you compensated when you	6 Q.	And what were SPIFs? What's your
7 worked at Spherion?		7	understanding of SPIFs and how that worked?
8 A.	With Spherion it was hourly.	8 A.	Say you had -- they wanted you to sell
9 Q.	Do you remember what you made?	9	so many printers. You would get maybe \$5 a
10 A.	I believe it was \$12 an hour.	10	printer for one contest. Another would be how
11 Q.	And how was overtime paid?	11	many network switches you sold, you were
12 A.	It was time and a half.	12	compensated a monetary amount on that.
13 Q.	For anything over 40?	13 Q.	And were those monthly as well or would
14 A.	Yes.	14	they run for differing times?
15 Q.	How did you keep your time at Spherion?	15 A.	Sometimes it would be the same SPIF for
16 A.	The Spherion managers kept lock on	16	two months. Sometimes it would be different.
17 that, I think.		17	There would be several different SPIFs going on at
18 Q.	So you didn't -- you didn't have	18	the same time.
19 control over entering your own time?		19 Q.	Do you know what SPIF stands for?
20 A.	Not that I remember. I don't remember	20 A.	No.
21 a time clock or --		21 Q.	And what is stacks? What's your
22 Q.	Anything like that.	22	understanding of stacks and how that related to
23 When you moved to -- were you paid		23	compensation?
24 commissions when you worked for Spherion?		24 A.	They ranked you against your peers, and
25 A.	I don't believe so. I'm not 100	25	the higher you were ranked against your peers --

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<p>54</p> <p>1 been a TSR for a while?</p> <p>2 A. It was when we started the TSR job.</p> <p>3 There were -- they would take us off the phones</p> <p>4 for an hour and say here's how a network works and</p> <p>5 to complete the online module and test at home on</p> <p>6 our own time and then stick us back on the phones.</p> <p>7 Q. And who else was going through that</p> <p>8 training period with you?</p> <p>9 A. There were nine of us at that time.</p> <p>10 Daniel Shoultz, Justin Lipscomb, Jacob Strickland,</p> <p>11 Wayne Swafford -- I'm trying to remember.</p> <p>12 Q. Sure.</p> <p>13 A. Those are all I can remember right now.</p> <p>14 Q. Did you all end up becoming full-time</p> <p>15 TSRs?</p> <p>16 A. Yes.</p> <p>17 Q. Did y'all work as a team? I mean, did</p> <p>18 you become one team or did y'all go out to various</p> <p>19 teams?</p> <p>20 A. We were -- when we first got promoted,</p> <p>21 they -- or moved, they assigned us to an LOR,</p> <p>22 large opportunity representative, and SMP</p> <p>23 representative. So we would -- we were combined</p> <p>24 with three, and then they ended up switching it</p> <p>25 where you had two LORs and then they switched it</p>	<p>56</p> <p>1 be counted or not?</p> <p>2 A. I spoke with Wes. I didn't ask him if</p> <p>3 it should be counted or not, but he knew that I</p> <p>4 was constantly on my cell phone at home with my</p> <p>5 West Coast customers. And he would ask us to call</p> <p>6 him if we were having problems with Citrix access</p> <p>7 before we had our individual BPN access. So he</p> <p>8 knew that we were always logged on.</p> <p>9 Q. But you never had a discussion about --</p> <p>10 with him as to whether you should count that time</p> <p>11 or not?</p> <p>12 A. It was my understanding not to, because</p> <p>13 we had had the discussion of it being considered</p> <p>14 falsification of time records if you put in that</p> <p>15 you were in at 7:00 or that you didn't go to</p> <p>16 lunch.</p> <p>17 Q. Were you ever written up for turning in</p> <p>18 time and not being there?</p> <p>19 A. No, not that I know of.</p> <p>20 Q. Were you ever written up for not being</p> <p>21 present when you were scheduled?</p> <p>22 A. I don't think so. I think Wes may have</p> <p>23 written me up because I was out of all my PBA time</p> <p>24 or something. I -- I don't know. When I was</p> <p>25 sick. I'm not 100 percent sure. I don't know if</p>
<p>55</p> <p>1 where you're a CSR just assigned to a queue team,</p> <p>2 so --</p> <p>3 Q. So y'all wouldn't have worked as a</p> <p>4 team, y'all were assigned to different LORs and</p> <p>5 that sort?</p> <p>6 A. Right, but we were all TSRs.</p> <p>7 Q. Right. And then other times when you</p> <p>8 worked at home, managers would tell you to count</p> <p>9 that time?</p> <p>10 A. I don't recall them ever saying that.</p> <p>11 Q. Did you ever talk with them about time</p> <p>12 at home? Is there any manager you ever talked</p> <p>13 with other than the TSR trainer?</p> <p>14 A. I may -- I'm trying -- I had kidney</p> <p>15 stones at one point, and Daniel Shoultz called me</p> <p>16 in the hospital with a customer on the phone. And</p> <p>17 I remember complaining to my manager to ask him</p> <p>18 not to do that again when I'm hooked to an IV.</p> <p>19 Q. Who was that?</p> <p>20 A. Sean Shockey.</p> <p>21 Q. And what did he say?</p> <p>22 A. He laughed.</p> <p>23 Q. Other than that time with Shockey, do</p> <p>24 you remember ever talking with any manager about</p> <p>25 time when you weren't at Dell, whether that should</p>	<p>57</p> <p>1 he ever did or not.</p> <p>2 Q. Was there ever a time when you did not</p> <p>3 get your full 40 hours base pay?</p> <p>4 A. Yes.</p> <p>5 Q. When was that?</p> <p>6 A. I was sick. I had had strep throat</p> <p>7 and was out for like three or four days. And like</p> <p>8 I said before, I don't know what my base check was</p> <p>9 supposed to be, I just know that it was Dell fair</p> <p>10 check time, which meant no SPIFs, stacks or</p> <p>11 commission attached to it, and it was</p> <p>12 significantly lower than my previous just strictly</p> <p>13 base paycheck.</p> <p>14 Q. When was it -- was this when you were</p> <p>15 in the hospital or was this a different time?</p> <p>16 A. It was a different time. The hospital</p> <p>17 was a pre -- my medical leave was preplanned, so</p> <p>18 it was, I believe, in 2007. I can't tell you</p> <p>19 exactly.</p> <p>20 Q. Do you remember what job you had?</p> <p>21 A. Software and peripherals</p> <p>22 representative. And it also happened when I was a</p> <p>23 TSR. I get strep throat every Halloween. So it</p> <p>24 probably would have been around October or</p> <p>25 November.</p>

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1 Q. And you think during those times you 2 may not have been paid all your base pay? 3 A. Right. 4 Q. Any other time that you think of? 5 A. I can't think of -- of something right 6 offhand. I would have to look back at my checks. 7 Q. Did you keep all your check stubs? 8 A. No. They were available on some kind 9 of online module. It's a third-party company that 10 did our checks. And then once you are not 11 employed with Dell anymore, you don't have access 12 to that. I was not aware of that until after I 13 wasn't employed. 14 Q. When you had access, you were able to 15 print them off and keep a copy for yourself if you 16 wanted? 17 A. Yeah. I had to take them to like a car 18 loan or something, I would be able to do that. 19 Q. When you were working at Dell, did you 20 keep any independent records of how much time you 21 were working, other than what you put into Kronos? 22 A. I don't know. I may have. I don't 23 know. If I did, it would have been on my Dell 24 computer. 25 Q. So you don't remember whether you were		1 what would we look to? 2 MR. DAMERON: Objection; calls for a 3 legal conclusion. 4 You can answer. 5 THE WITNESS: I -- I wouldn't know. 6 BY MR. FOX: 7 Q. Do you have any estimate of whether it 8 was every day, every other day? 9 A. I wouldn't know. 10 Q. Can you hazard a guess? Was it one 11 hour a week, 10 hours a week, 15? Or would it 12 just be total speculation? 13 A. Between 10 and 30 possibly, depending 14 on the time of year. 15 Q. And what do you base that on? 16 A. The fourth quarter has a heavier sales 17 cycle, so I would -- and also that's what 18 qualified you for the trip. So I would work extra 19 to have a higher attainment because that's what 20 the trip was based on. Second place twice. 21 Q. And what did second place get you? 22 A. Nothing. It got you pictures from 23 everyone else having fun in Hawaii. 24 Q. And so that would be -- the 30 hours a 25 week would be in the crunch time at the end of the	
	59		61
1 putting in somewhere other than Kronos time 2 worked? 3 A. I didn't keep like a separate 4 spreadsheet or anything like that saying I got 5 here at 7:34 and left at 8:01. 6 Q. Where might you have kept it -- what 7 form might you have kept it and why? 8 A. If I would have kept it, it would have 9 been on my Dell computer and it wouldn't have -- 10 it would have been like a message or something to 11 another Dell employee saying I can't believe we've 12 been here X amount of hours, I've worked such and 13 such, I'm -- been here -- you know, feels like I 14 live here. 15 Q. Do you have any idea of -- or what 16 amount are you claiming that you worked that 17 you -- first, that you didn't turn in properly? 18 A. I wouldn't know right offhand. Dell 19 would have all the records of that. 20 Q. Well, what we have is what you turned 21 in. So what would -- how would we know? 22 A. I don't know that what Dell has is 23 exactly what I turned in. Managers may have 24 changed it. I -- I don't know. 25 Q. But if managers didn't change it, then		1 quarter? 2 A. Usually that, and then around tax time 3 customers would frequently call me at home to get 4 in touch with me because they had to spend their 5 budget to -- IT departments would be allocated a 6 budget, and they had to hurry up and spend it 7 before end of their fiscal year so they'd be 8 allocated the same or more. 9 Q. And what jobs would you be in when that 10 was happening? 11 A. All three, actually. I had a customer 12 that I took, that I had when I was a sales rep all 13 the way through, who still contacts me. 14 Q. Who was that? 15 A. Jay Okimoto. 16 Q. And what company? 17 A. He sets up dental offices in Arizona 18 and Tucson. Pretty much every dental office in 19 Tucson is set up with equipment that I've sold him 20 from Dell. 21 Q. Other than him, was there anybody that 22 called you regularly? 23 A. Three or four different of my 24 consultants that worked with other businesses. If 25 I had a really large project with a really large	

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<p>1 commissions based on 80 percent. There were 2 several --</p> <p>3 Q. Were there ever any times where they 4 adjusted it upwards so that you hit 90 or 75 5 percent but they gave you -- paid it at 85 percent 6 or 90?</p> <p>7 MR. DAMERON: Mike, I don't think she 8 was done with her answer.</p> <p>9 MR. FOX: Oh, okay. I'm sorry.</p> <p>10 THE WITNESS: I don't recall that 11 happening to me personally.</p> <p>12 BY MR. FOX:</p> <p>13 Q. Okay. I'm sorry. I didn't mean to 14 interrupt your other answer.</p> <p>15 A. That's okay.</p> <p>16 Q. You can go ahead and answer.</p> <p>17 A. Frequently they would not give us our 18 quotas 'til three weeks into the month. They 19 would adjust the quotas within the month and then 20 change the SPIF and stack payouts frequently. 21 That was an issue a lot of sales representatives 22 had, was the changing right -- changing the rules 23 of the game right in the middle of the game.</p> <p>24 Q. Was the overtime payments either -- 25 well, let me ask it two ways. From your</p>	<p>78</p> <p>1 Q. -- and got frustrated? 2 Did you ever go back and ask him if he 3 got an answer for you?</p> <p>4 A. I may have. He just said that he would 5 check into it. I don't remember him getting back 6 to us.</p> <p>7 Q. Do you remember how far in advance or 8 how close that was to your time of termination 9 when you had that discussion?</p> <p>10 A. Maybe three or four months.</p> <p>11 Q. And you don't recall having gone back 12 to follow up with him?</p> <p>13 A. No. His -- his wife had just had a set 14 of twins and he was -- he wasn't there a lot the 15 last couple of months.</p> <p>16 Q. So the question may have gotten taken 17 over by other responsibilities?</p> <p>18 A. Yeah. And as you can imagine, somebody 19 that just had a set of twins, you don't want to 20 agitate them at all.</p> <p>21 Q. If you turn back to this one we were 22 looking at and go to the 1795 page again and look 23 at -- we talked about the first slide. Second 24 slide says Calculation of Incentive Overtime, and 25 this is on a quarterly incentive earned. And</p>
<p>79</p> <p>1 perspective, was how much you were getting paid in 2 overtime ever a big issue to you while you were 3 working at Dell?</p> <p>4 A. Sometimes, because I felt like I was 5 donating so much of myself to this company and 6 there so much and constantly at home so much -- I 7 pretty much lived, breathed and slept Dell for a 8 long time -- that I should be paid for -- for that 9 time. And especially if they're changing the 10 rules of the game and changing all that around, at 11 least get my base pay and my overtime right.</p> <p>12 Q. And what would it have done to get it 13 right as far as you were concerned?</p> <p>14 A. Tell me what I'm making on an hourly 15 basis. Am I salary? Am I hourly? You know, tell 16 me -- give me a definitive answer and a definitive 17 formula where I know if I work this amount of 18 hours and my -- then I know what my overtime check 19 would be.</p> <p>20 Q. And did you ever have that specific 21 discussion with any one manager?</p> <p>22 A. Wes Bishop.</p> <p>23 Q. And that was when he started on the 24 explanation --</p> <p>25 A. Yes.</p>	<p>81</p> <p>1 we've talked about the TTC. Here it says 2 quarterly incentive earned 1,450. I think these 3 are just assuming this to be the case. Then it 4 says if you worked 585 total hours in the week 5 [sic] and 65 hours of overtime, then you would 6 have your incentive earned divided by your total 7 hours worked to give you that regular rate of pay 8 like we talked about up here. Do you follow that 9 calculation?</p> <p>10 A. Yeah, I think so.</p> <p>11 Q. In other words, you're dividing your 12 amount of income by the total hours worked in both 13 calculations, it's just using different numbers?</p> <p>14 A. Okay.</p> <p>15 Q. But that's what you'd do to get to your 16 regular rate of pay. Is that understood from this 17 example?</p> <p>18 A. Correct. Depending on what your base 19 pay or whatever was.</p> <p>20 Q. And then the second one, again, it's a 21 similar kind of calculation, just using different 22 numbers, where you multiply the overtime hours 23 times the .5 overtime rate or the, quote, half 24 times the regular rate of pay to give you an 25 extra quarterly incentive pay.</p>

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<p>1 that's what it means.</p> <p>2 Q. Do you know what FG would stand for</p> <p>3 right between finance and payroll?</p> <p>4 A. No. I remember seeing Document 00369</p> <p>5 on Josh's desk. He always kept up with -- or it</p> <p>6 seemed like he always had some kind of calendar</p> <p>7 like this on his desk. I don't know if it was the</p> <p>8 exact one, but it looked a lot like one of these.</p> <p>9 Q. Were there other groups in SMB that</p> <p>10 went by other acronyms like EPP? Have you ever</p> <p>11 heard that acronym?</p> <p>12 A. I thought that meant employee purchase</p> <p>13 program.</p> <p>14 Q. And do you know, was there a group of</p> <p>15 people who worked in that unit?</p> <p>16 A. Yeah. There were -- there were people</p> <p>17 that -- a group of people that worked in that</p> <p>18 unit, but it was all the same thing, pretty much.</p> <p>19 Q. What about -- were there any other</p> <p>20 subgroups like that? TGA, are you familiar with a</p> <p>21 TGA subgrouping?</p> <p>22 A. I don't remember TGA.</p> <p>23 Q. Were there any other subgroups within</p> <p>24 SMB?</p> <p>25 A. Oh, yeah. But it was all -- all the</p>	<p>106</p> <p>1 Q. Other than the managers that you worked</p> <p>2 for who we have talked about, was there ever any</p> <p>3 other Dell manager that you talked with about how</p> <p>4 to record time?</p> <p>5 A. I don't know.</p> <p>6 Q. You can't remember any other</p> <p>7 individual -- we talked about your direct</p> <p>8 managers, but sometimes people have other managers</p> <p>9 that they know personally or just --</p> <p>10 A. Yeah, I knew several of the managers</p> <p>11 personally, but I don't remember -- I don't know</p> <p>12 if we had talked about entering time or anything.</p> <p>13 Q. You can't remember any of them ever</p> <p>14 telling you anything about enter all your time</p> <p>15 that you worked or only enter your scheduled time</p> <p>16 or anything of the nature other than the ones</p> <p>17 we've already talked about?</p> <p>18 A. Not specific examples.</p> <p>19 Q. Did you ever hear anyone at Dell talk</p> <p>20 about that you were to record all time that you</p> <p>21 worked from the time you got there until the time</p> <p>22 you quit working at the end of the day?</p> <p>23 A. They would say that we needed to be</p> <p>24 logged in the phones from the time we were there</p> <p>25 'til the time we quit.</p>	<p>108</p>
<p>1 same. There was JAG. I don't remember what that</p> <p>2 stood for. I think reseller was considered in</p> <p>3 there. And then they would have -- if they didn't</p> <p>4 have an acronym, they would have a company number,</p> <p>5 which it -- it changed, what company number did</p> <p>6 what, but it was all under the same umbrella.</p> <p>7 (EXHIBIT 9 WAS MARKED.)</p> <p>8 BY MR. FOX:</p> <p>9 Q. Let me show you what has been marked as</p> <p>10 Deposition Exhibit 9, which is obviously not a</p> <p>11 full PowerPoint presentation but some slides taken</p> <p>12 from one that walks through salary nonexempt pay</p> <p>13 calculation. Have you ever seen anything that</p> <p>14 looks like this or similar to this in any of the</p> <p>15 time that you worked at Dell?</p> <p>16 A. I don't remember seeing this. It says</p> <p>17 received salary regardless of number of hours. I</p> <p>18 don't remember seeing this.</p> <p>19 Q. Okay.</p> <p>20 MR. DAMERON: Mike, do you have a time</p> <p>21 frame on this?</p> <p>22 MR. FOX: I don't, that I know of for</p> <p>23 sure.</p> <p>24 MR. DAMERON: Okay.</p> <p>25 BY MR. FOX:</p>	<p>107</p> <p>1 Q. Anything else about recording time from</p> <p>2 the time you got there 'til the time you left?</p> <p>3 A. I don't know. I don't remember.</p> <p>4 Q. Something they could have said; you</p> <p>5 just don't remember?</p> <p>6 A. Right. They may have; they may not</p> <p>7 have.</p> <p>8 Q. And have we talked about all the</p> <p>9 conversations you had with anyone about how</p> <p>10 overtime pay was calculated?</p> <p>11 A. That I can think of off the top of my</p> <p>12 head in 2008 since I left last year, that's -- I</p> <p>13 don't know. That's the best I can think of right</p> <p>14 now.</p> <p>15 Q. Did you ever have huddles or anything</p> <p>16 called huddles?</p> <p>17 A. Yes.</p> <p>18 Q. And when were those done?</p> <p>19 A. It depends. Sometimes 7:30. Well, on</p> <p>20 Thursdays, when I was a TSR, we had to be there at</p> <p>21 7:00 for an hour-long meeting with Wes. He would</p> <p>22 schedule his -- most every team had some kind of</p> <p>23 team meeting or team huddle. Wes liked to have</p> <p>24 his at Starbucks early in the morning.</p> <p>25 Q. Starbucks where?</p>	<p>109</p>

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<p>1 conversation, she said she didn't think that that 2 was why she really got terminated, but that was 3 the reason that they gave her.</p> <p>4 Q. And when was she terminated?</p> <p>5 A. Last Thursday, I think. Either last 6 Thursday or Friday?</p> <p>7 Q. When did you talk to her?</p> <p>8 A. I'm sorry, not this past Thursday or 9 Friday. The Thursday or Friday before that. So 10 it was two weeks ago. I spoke with her on 11 Saturday. She wanted me to baby-sit her son.</p> <p>12 Q. And she just said it was for Kronos 13 records, but she didn't think that was the real 14 reason?</p> <p>15 A. Yeah, she said it had something to do 16 with Kronos and something -- she said the official 17 reason was falsification of records.</p> <p>18 Q. What about Tommy Sallee, what did -- 19 does he still work there?</p> <p>20 A. Oh, yeah.</p> <p>21 Q. And what did you talk with him about?</p> <p>22 A. I just asked him if he knew about it 23 and he said yeah, and then we talked about 24 University of Kentucky football.</p> <p>25 Q. And did he say anything about the</p>	<p>118</p> <p>1 your peers working for his team?</p> <p>2 A. When I was a TSR, Josh was an SMP rep. 3 It would have been people like Josh. I don't 4 remember his exact teammates' names. I know he 5 had a girl on his team named Lisa. She had really 6 pretty hair. But I don't -- I don't remember his 7 exact teammates' names.</p> <p>8 Q. Anyone else at Dell that you have 9 talked about the lawsuits with, any other Dell 10 employee or former employee?</p> <p>11 A. Just the former employees at my last 12 job that were Dell employees. There was about 10.</p> <p>13 Q. Who were they?</p> <p>14 A. Hong Laio, Nina Ayala -- oh, I forgot 15 my ex-roommate too. She moved to Wisconsin. 16 Kelly Burgess -- I sound like a gossip -- Nolan 17 Arena, Trevor Langdon and Rob Warner.</p> <p>18 Q. What company was this?</p> <p>19 A. All of them worked at AmMed, except for 20 Kelly and Nolan. Kelly was my roommate. She 21 worked in tech support for Dell when she worked 22 there. And Nolan is a tech support supervisor.</p> <p>23 Q. And how did -- Kelly was your roommate?</p> <p>24 A. Yes, uh-huh.</p> <p>25 Q. And when did she work for Dell?</p>
<p>119</p> <p>1 merits of it or whether he thought it was right or 2 wrong?</p> <p>3 A. I didn't really ever discuss anything 4 like that with Tommy because we've known each 5 other for so many years and we're friends on a 6 personal level, so I never wanted to get Dell -- 7 the subject of Dell, you know, to cause a rift 8 between us, even when I started working there. We 9 never discussed Dell stuff outside of work.</p> <p>10 Q. What does he do?</p> <p>11 A. He's a manager.</p> <p>12 Q. And how long has he been a manager?</p> <p>13 A. He was -- at least three years.</p> <p>14 Q. Manager over what?</p> <p>15 A. Software and peripherals.</p> <p>16 Q. Was he ever your manager?</p> <p>17 A. No.</p> <p>18 Q. Did he ever manage people like you?</p> <p>19 A. I think so, yes.</p> <p>20 Q. And when would that have been, when you 21 were the second software/peripheral job?</p> <p>22 A. I think so. I'm not sure about the 23 dates.</p> <p>24 Q. Who would have been some of the people 25 he would have managed? Do you know their names,</p>	<p>119</p> <p>1 A. 2006/2007. She worked in tech support. 2 She never worked in sales. She was -- her and 3 Nolan, I think, were paid strictly just hourly. 4 Q. And when did he work there?</p> <p>5 A. He still -- well, he worked there, then 6 they had the big huge layoff, and then they called 7 him back, so he's employed there now.</p> <p>8 Q. And what about -- what did you talk 9 with him about, the lawsuit?</p> <p>10 A. He came to fix my computer and I 11 just -- I said, hey, have you heard about this? 12 It's really bizarre. And he said no. And he's 13 like -- he works in tech support, so they don't 14 hear a lot of the -- the gossip.</p> <p>15 Q. So he didn't know anything about it 16 other than what you told him?</p> <p>17 A. Right.</p> <p>18 Q. And what did you tell him?</p> <p>19 A. I said that there was a class-action 20 suit against Dell for the sales representatives in 21 the call center, and he said he hadn't heard that 22 about tech support yet.</p> <p>23 Q. And did you tell him what the basis for 24 the suit was?</p> <p>25 A. I don't remember. I don't think so. I</p>

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